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16 HEROES CLUB, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

HEROES CLUB, INC., a California Corporation,

Case No. 07-4422 JCS

**Plaintiff,**

**STIPULATION OF DISMISSAL  
OF ACTION WITH PREJUDICE**

V.

UNITED PARCEL SERVICE, INC., and DOES  
1-50.

### Defendants.

Pursuant to Fed. R. Civ. P. 41(a)(1), Plaintiff Heroes Club, Inc., and Defendant United Parcel Service, Inc., by and through their respective attorneys, hereby stipulate to the dismissal of the above-entitled action with prejudice as to all claims of Plaintiff Heroes Club, Inc., but without prejudice as to any claims of any other putative class member, and without costs to any party.

Dated: January 22, 2008

PAUL T. FRIEDMAN  
ANNEMARIE C. O'SHEA  
SARA MAHDAVI  
MORRISON & FOERSTER LLP

By: /s/ Paul T. Friedman  
Paul T. Friedman

Attorneys for Defendant  
UNITED PARCEL SERVICE, INC.

Dated: January 22, 2008

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By: /s/ Mark T. Johnson  
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HEROES CLUB, INC.

I, Paul T. Friedman, am the ECF user whose ID and password are being used to file this Stipulation. In compliance with General Order 45, I hereby attest that Mark T. Johnson, counsel for Plaintiff, has concurred in this filing.

Dated: January 22, 2008

By: /s/ Paul T. Friedman  
Paul T. Friedman

Attorneys for Defendant  
UNITED PARCEL SERVICE, INC.